



City of Albuquerque

Albuquerque/Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM 87102

Action Summary

City Council

Council President, Klarissa J. Peña, District 3

Vice-President, Cynthia D. Borrego, District 5

Ken Sanchez, District 1; Isaac Benton, District 2

Brad Winter, District 4; Patrick Davis, District 6

Diane G. Gibson, District 7; Trudy E. Jones, District 8

Don Harris, District 9

Monday, October 7, 2019

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - FORTY-FOURTH MEETING

1. ROLL CALL

Present 9 - Klarissa Peña, Cynthia Borrego, Ken Sanchez, Isaac Benton, Brad Winter, Patrick Davis, Diane Gibson, Trudy Jones, and Don Harris

2. MOMENT OF SILENCE

Pledge of Allegiance - Isaac Benton, Councilor, District 2

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

September 18, 2019 Special Meeting

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

A motion was made by Councilor Benton to accept the September 25, 2019 Land Use, Planning and Zoning Committee reports. The motion failed by the following vote:

For: 2 - Sanchez, and Benton

Against: 6 - Peña, Borrego, Winter, Gibson, Jones, and Harris

Excused: 1 - Davis

A motion was made by Councilor Jones to reject the September 25, 2019 Land Use, Planning and Zoning Committee reports for R-19-190 and R-19-191. The motion carried by the following vote:

For: 7 - Peña, Borrego, Sanchez, Winter, Gibson, Jones, and Harris

Against: 1 - Benton

Excused: 1 - Davis

Pursuant to Council Rules of Procedure, this action resulted in the failure of these bills.

[R-19-190](#)

Establishing A Process For The City Council To Consider Re-Adoption Of The Goals And Policies Of Sector Development Plans Listed In Appendix D Of The Comprehensive Plan Until The First Community Planning Area Assessment Cycle Is Complete And The Comprehensive Plan Is Updated (Benton, Peña)

[R-19-191](#)

Establishing A Process For The City Council To Consider Reenactment Of The Sector Development Plans Listed In Appendix D Of The Comprehensive Plan, Including The Regulatory Aspects Of The Plans (Benton and Peña, by request)

Deferrals/Withdrawals

c. [O-19-72](#)

Amending §14-20, The “Dilapidated Commercial Buildings And Properties Ordinance” To Implement Permanent Procedures Following The Conclusion Of A 24-Month Pilot Project (Harris)

A motion was made by Councilor Harris that this matter be Postponed to November 4, 2019. The motion carried by the following vote:

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris

Excused: 1 - Davis

- h. [O-19-80](#) Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Taxable Industrial Revenue Bond (Arrive Albuquerque Hotel Project) Series 2019 In The Maximum Principal Amount Of \$22,000,000 To Provide Funds To Finance The Redevelopment, Renovation, Rehabilitation And Equipping Of A Hospitality Project; Authorizing The Execution And Delivery Of An Indenture, Lease Agreement, Bond Purchase Agreement, Bond, And Other Documents In Connection With The Issuance Of The Bond And The Project (Benton, by request)

A motion was made by Councilor Benton that this matter be Postponed to October 21, 2019. The motion carried by the following vote:

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris

Excused: 1 - Davis

- i. [R-19-178](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Supplementing Current Appropriations For The Arenal/Crestview Bluff Open Space Land Acquisition (Peña)

A motion was made by President Peña that this matter be Postponed to November 4, 2019. The motion carried by the following vote:

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris

Excused: 1 - Davis

9. **CONSENT AGENDA: {Items may be removed at the request of any Councilor}**

- a. [EC-19-455](#) Mayor's Recommendation of Award to Paper Plane Branding and Marketing for "Citywide Website Design Services"

A motion was made by Vice-President Borrego that this matter be Approved. The motion carried by the following vote:

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris

Excused: 1 - Davis

- b. [EC-19-457](#) Mayor's Appointment of Jonathan R. Hollinger to the Environmental Planning Commission

A motion was made by Vice-President Borrego that this matter be Confirmed. The motion carried by the following vote:

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris

Excused: 1 - Davis

- c. [EC-19-471](#) Approval of Supplement Agreement with MyDatt Services Inc. d.b.a Block By Block for a Clean, Safe and Friendly Downtown
- A motion was made by Vice-President Borrego that this matter be Approved.**
The motion carried by the following vote:
- For:** 8 - Peña, Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Excused:** 1 - Davis
- d. [EC-19-472](#) Mayor's Appointment of Mr. Scott Forrester to the Open Space Advisory Board
- A motion was made by Vice-President Borrego that this matter be Confirmed.**
The motion carried by the following vote:
- For:** 8 - Peña, Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Excused:** 1 - Davis
- e. [OC-19-40](#) Appointment of Ms. Barbara Taylor to the Open Space Advisory Board
- A motion was made by Vice-President Borrego that this matter be Confirmed.**
The motion carried by the following vote:
- For:** 8 - Peña, Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Excused:** 1 - Davis
- f. [R-19-185](#) Approving And Authorizing The Acceptance Of Grant Funds Based On Applications For Federal And State Assistance For The Senior Corps Programs Including The Foster Grandparent Program (FGP), The Retired And Senior Volunteer Program (RSVP), And The Senior Companion Program (SCP), With The Corporation For National And Community Service (CNCS) And The New Mexico Aging And Long Term Services Department (ALTSD) And Providing For An Appropriation To The Department Of Senior Affairs In Fiscal Year 2020 (Gibson)
- A motion was made by Vice-President Borrego that this matter be Passed. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Excused:** 1 - Davis

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

12. PUBLIC HEARINGS: {Appeals, SAD Protest Hearings}

- a. [AC-19-11](#) Project #2018-001924/RZ-2018-00063: Land Development Consultants LLC, Agents for Circle K Stores, Inc., appeals the decision of the Environmental Planning Commission (EPC) to deny a zone map amendment for Tract A and Tract B, a plat of Tracts, A, B, and C, Lands of Romero-Page Etal., zoned M-XL, to NR-C, located at 1100 Old Coors Dr. SW, between Bridge Blvd. SW and San Ygnacio Rd. SW, containing approximately 4.5 acres

A motion was made by Councilor Jones To Accept the Land Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, and Jones

Excused: 1 - Harris

- b. [AC-19-12](#) Project PR-2018-001198/ VA-2019-00247/ VA-2019-00188/ VA-2019-00190: Rene Horvath Appeals the Decision of the Environmental Planning Commission (EPC) to Approve Two Variances for all or a portion of Tract 1 and Tract 2, Bulk Land Plat of The Trails Unit 3A, zoned R-1B and R-1D, located on Woodmont Ave. NW, between the Petroglyph National Monument and Paseo del Norte Blvd. NW, containing approximately 20.4 acres

A motion was made by Councilor Benton To Accept the Land Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

13. APPROVALS: {Contracts, Agreements, and Appointments}

14. FINAL ACTIONS

- a. [O-19-56](#) C/S Amending Article XII, Sections 2, 3, 5, And 8 Of The City Charter, And Amending Article XIII, Section 4, Of The City Charter (Peña, Harris, Sanchez, Borrego)

A motion was made by Councilor Sanchez that this matter be Passed. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

- b. [O-19-57](#) C/S Amending The Lobbyist And Lobbyist Organization Registration And Disclosure Ordinance At Sections 2-3-2, 2-3-3, 2-3-4, 2-3-5, AND 2-3-7 (Peña, Harris, Sanchez, Borrego)

A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Floor Amendment No. 1. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

A motion was made by Councilor Sanchez that this matter be Passed as Amended. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

d. [O-19-73](#)

Relating To The Redevelopment, Leasing And Sale Of A Metropolitan Redevelopment Project And The Issuance Of Metropolitan Redevelopment Revenue Bonds Payable From Rental Payments Therefor; Approving The Metropolitan Redevelopment Application Entitled "Broadstone Nob Hill Metropolitan Redevelopment Bond Application"; Authorizing The Acquisition Of Land And Existing Improvements And Construction Of A Building Within The Central/ Highland/ Upper Nob Hill Metropolitan Redevelopment Area; Authorizing The Disposition By Lease And Sale Of The City's Interest In Such Project To Broadstone Nob Hill, LLC, Its Successors And Assigns; Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Metropolitan Redevelopment Revenue Bonds Series 2020 In The Maximum Principal Amount Of \$21,500,000 To Provide Funds To Finance A Portion Of The Costs Of The Construction Of The Project (Davis, by request)

A motion was made by Councilor Davis that this matter be Passed. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

e. [O-19-76](#)

C/S Amending Chapter 2, Article 6, Part 11 Of The Revised Ordinances Of Albuquerque, The "Public Safety Tax Advisory Board Ordinance", To Redefine The Composition, And Roles And Responsibilities Of The Public Safety Tax Review Board (Benton)

A motion was made by Councilor Benton that this matter be Passed. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

f. [R-19-197](#)

Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Approving New Projects From The Proceeds Of City Of Albuquerque, New Mexico Gross Receipts Tax/Lodgers' Tax Refunding And Improvement Revenue Bonds Series 2019A (Peña)

A motion was made by Councilor Sanchez that this matter be Amended. Councilor Sanchez moved Floor Amendment No. 1. The motion carried by the following vote:

For: 5 - Peña, Borrego, Sanchez, Winter, and Harris

Against: 4 - Benton, Davis, Gibson, and Jones

Councilor Winter moved Floor Amendment No. 2.

A motion was made by Councilor Sanchez to Table Floor Amendment No. 2. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

A motion was made by Councilor Sanchez that this matter be Amended. Councilor Sanchez moved Floor Amendment No. 3. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

A motion was made by President Peña to take Floor Amendment No. 2 from the Table. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

A motion was made by President Peña that this matter be Amended. Councilor Peña moved Amendment No. 1 to Floor Amendment No. 2. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

A motion was made by Councilor Winter that this matter be Amended. Councilor Winter moved Floor Amendment No. 2, as Amended. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

A motion was made by President Peña that this matter be Passed as Amended. The motion carried by the following vote:

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, and Harris

Against: 1 - Jones

g. [O-19-77](#)

F/S Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Tax Refunding And Improvement Revenue Bonds In Two Series In An Aggregate Principal Amount Not To Exceed \$47,000,000: (I) Gross Receipts Tax/Lodgers' Tax Refunding And Improvement Revenue Bonds, Series 2019A In The Maximum Principal Amount Of \$37,000,000, And (II) Gross Receipts Tax Refunding Revenue Bonds, Series 2019B In The Maximum Principal Amount Of \$10,000,000 For The Purpose Of (A) Financing The Cost Of Refunding The City's Outstanding Gross Receipts Tax/Lodgers' Tax Refunding Revenue Bonds, Series 2009A And The City's Outstanding Gross Receipts Tax Refunding Revenue Bond, Series 2009B, And (B) Studying, Designing, Developing, Constructing, Reconstructing, Rehabilitating, Renovating, Modernizing, Signing, Enhancing And Otherwise Improving The City's Convention Center And Other Tourist-Related Facilities and Attractions (Davis, by request)

A motion was made by Councilor Davis that this matter be Substituted. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

A motion was made by Councilor Davis that this matter be Passed as Substituted. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

j. [R-19-186](#)

Extending The Moratorium Established For The Section Of Irving Boulevard From Kayenta Place To Rio Los Piños Drive Through December 31st 2020 (Borrego)

A motion was made by Vice-President Borrego that this matter be Passed. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

15. OTHER BUSINESS: {Reports, Presentations, and Other Items}

a. [OC-19-37](#)

Internal Audit's Annual Report for Fiscal Year 2019

A motion was made by President Peña that this matter be Receipt Be Noted. The motion carried by the following vote:

For: 8 - Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

Excused: 1 - Borrego

b. [OC-19-38](#)

The Office of Inspector General's Annual Report for Fiscal Year 2019

A motion was made by President Peña that this matter be Receipt Be Noted. The motion carried by the following vote:

For: 8 - Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

Excused: 1 - Borrego